

## NEW YORK HERALD

BROADWAY AND ANN STREET.

JAMES GORDON BENNETT.  
PROPRIETOR.All business or news letter and telegraphic  
despatches must be addressed New York  
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sealed.Registered communications will not be re-  
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rates make THE WEEKLY HERALD the cheapest pub-  
lication in the country.

Volume XXXIV.....No. 44

## AMUSEMENTS THIS EVENING.

OLYMPIC THEATRE, Broadway.—(HENRY DUNPHY,  
WITH NEW FEATURES. Matinee at 1 1/2.BROADWAY THEATRE, Broadway.—(SOLON SHINGLE,  
LIVE INDIAN. Matinee at 1 1/2.BOOTH'S THEATRE, Twenty-third st., between 6th and  
7th avs.—ROMEO AND JULIET.NEW YORK THEATRE, Broadway.—(MCKEAN BO-  
CHANAN AND ORFELLO.NIBLO'S GARDEN, Broadway.—(THE BURGESS EX-  
TRAORDINARY OF THE FOUR THIEVES. Matinee at 1 1/2.BOWERY THEATRE, Bowery.—(NICK OF THE WOODS,  
AC. Matinee at 2.—FOOTMARKS IN THE SNOW, AC.GRAND OPERA HOUSE, corner of 8th Avenue and  
23d street.—(OPERA AUX ENFERS. Matinee at 2.FRENCH THEATRE, Fourteenth street and Sixth ave-  
nue.—(LEER DE TEL.ACADEMY OF MUSIC, Fourteenth street.—(ITALIAN  
OPERA. Matinee at 1 1/2.—LE TOVATOIRE.WALLACK'S THEATRE, Broadway and 12th street.—  
MUCH AD ABOUT NOTHING.BROOKLYN THEATRE, Twenty-fourth st.—(AN IRISH  
STEW.—DRAMATIC REVIEW FEB 12th.WOOD'S MUSEUM AND THEATRE, Thirtieth street and  
Broadway.—(Afternoon and evening Performances.THE TAMMANY, Fourteenth street.—(THE RISKY  
JACKSOME TOWNS. AC. Matinee at 2.MRS. F. R. CONWAY'S PARK THEATRE, Brooklyn.—  
LANGUISHING LIPS.THEATRE COMIQUE, Broadway.—(COMIC SKETCHES  
AND LIVING STATUES.—PICTO. Matinee at 2 1/2.SAN FRANCISCO MINSTRELS, 88 Broadway.—(ETHIO-  
PIAN ENTERTAINMENTS, SINGING, DANCING, AC.BRYANT'S OPERA HOUSE, Tammany Building, 14th  
street.—(ETHIOPIAN MINSTRELS, AC.TONY PASTOR'S OPERA HOUSE, 201 Bowery.—(COMIC  
VOCALIAN, NEGRO MINSTRELS, AC. Matinee at 2 1/2.NEW YORK CIRCUS, Fourteenth street.—(EQUESTRIAN  
AND GYMNASTIC ENTERTAINMENT. Matinee at 2 1/2.IRVING HALL, Irving place.—(GRAND INSTRUMENTAL  
AND VOCAL CONCERT.STEINWAY HALL, Fourteenth street.—(THOROUGH  
THOMAS SYMPHONY SOIREE.MOORE'S OPERA HOUSE, Brooklyn.—(MOORE'S  
MINSTRELS—AFTER LIGHT, AC.NEW YORK MUSEUM OF ANATOMY, 618 Broadway.—  
SCIENCE AND ART.

## TRIPLE SHEET.

New York, Saturday, February 13, 1869.

## Notice to Herald Carriers and News Dealers.

HERALD carriers and news dealers are in-  
formed that they can now procure the requisite  
number of copies direct from this office without  
delay.All complaints of "short counts" and spoiled  
sheets must be made to the Superintendent in  
the counting-room of the HERALD establish-  
ment.Newsman who have received spoiled papers  
from the HERALD office, are requested to re-  
turn the same, with proof that they were  
obtained from here direct, and have their  
money refunded. Spoiled sheets must not be  
sold to readers of the HERALD.

## MONTHLY SUBSCRIPTIONS.

The DAILY HERALD will be sent to subscribers  
for one dollar a month.The postage being only thirty-five cents a  
quarter, country subscribers by this arrangement  
can receive the HERALD at the same price it is  
furnished in the city.

## THE NEWS.

## Europe.

The cable despatches are dated February 12.

The Constituent Cortes of Spain was formally  
opened on Thursday last with great ceremony.  
The day was regarded almost as a holiday in the Spanish  
capital. Marshal Serrano, president of the Ministry,  
addressed the deputies, reviewing the causes which  
led to the revolution and urging the necessity of a  
wise administration of power in order to realize the  
desires of the people. It was the errors of the past  
government, he contended, that led to the present  
troubles in Cuba, and he expressed the hope that  
these would shortly be brought to a close.At the banquet given on Thursday last to the new  
British Ministry Mr. Gladstone remarked that the  
last House of Commons had been convened by the  
government of the day.The Mayor of Dublin intends to present to Queen  
Victoria, at the first public levee, the monster peti-  
tion for the pardon of the Fenian prisoners.

## Persia.

Despatches received in London yesterday state  
that the Persian army, with the Shah at its head, has  
gone to Baghdad. Turkish troops meantime are  
concentrating on the Persian frontier.

## Brazil and Paraguay.

Our Rio Janeiro letter is dated December 23. Ad-  
miral Davis, with his fleet and the two prisoners,  
had arrived at Buenos Ayres. He expresses him-  
self satisfied with the explanation made by Lopez,  
and believes that Washburn, Bliss and Masterman  
were all engaged in a conspiracy to overthrow the  
Paraguayan government. The remnant of Lopez's  
army was still at Angostura, Laque being at present  
his seat of government. Minister McMahon  
was with him. "Castor" army was very much in  
need of reorganization after the fight at Villeta,  
and it was rumored that Porto Alegre had been re-  
quired to assume the chief command of the army.On the 27th of December a fire broke out in the Cu-  
stom House in Rio Janeiro, and as no one was per-  
mitted to open the doors unless the Senior Guardian  
of the Keys was present the fire gained such head-  
way that before it was extinguished—two persons  
having after a long delay concluded to smash open  
the doors notwithstanding the regulations—property  
was destroyed to the amount of \$300,000.

## Cuba.

The steamer Henry Burden sailed from Jack-  
sonville, Fla., about the 7th instant, under circumstances  
that lead to the suspicion that she has gone with  
arms and munitions to the aid of the Cuban in-  
surrection, and most likely to take service under the  
revolutionists. Large sums of money were offered  
for volunteers to ship on her.Our Cuban correspondence, elsewhere in our  
columns this morning, will be found very interesting,  
containing as it does full and connected details of  
our telegraphic despatches up to February 12.

## Congress.

In the Senate yesterday bills were introduced to  
encourage telegraphic communication with Europe  
and to aid in the construction of the Texas and  
Pacific Railroad. Discussion ensued on a motion to  
take up the act for the establishment of an American  
line of mail steamships to Europe, and the morning  
hour expired while it was still pending. Mr. Shan-  
non's currency bill was then taken up, and it was  
discussed during the evening recess until adjournment.In the House a bill to pay prize money to the crew  
of the Kearsarge for the sinking of the Alabama was  
passed. Mr. Boutwell reported a bill from the Re-  
construction Committee to organize a provisional  
government for Mississippi. Several private claims  
were discussed, and at two o'clock Mr. Butler's ques-  
tion of privilege protesting against the rulings of  
Vice President Wade in the joint convention came  
up for discussion. Mr. Dawes occupying the Speak-  
er's chair. Mr. Logan made a speech eulogistic of  
Mr. Wade, and Mr. Butler denied all intention of  
casting censure upon him. The whole subject was  
then laid on the table by a vote of 130 to 55. The bill  
for a military and postal railroad between New York  
and Washington was then taken up and passed by a  
vote of 99 to 54. The River and Harbor Appropria-  
tion bill was discussed in the evening.

## The Legislature.

In the State Senate yesterday a bill was intro-  
duced to incorporate the Shipowners' Association.  
A number of unimportant bills were passed. The  
committee to investigate certain charges of bribery  
reported that Henry Thompson, of New York, had  
failed to appear before them, although subpoenaed,  
and a resolution was passed to compel his attend-  
ance. The Senate adjourned until Monday evening.In the Assembly a petition from the St. Regis  
Indians was presented. A number of bills of minor  
importance were passed, including one to open cer-  
tain streets in Brooklyn. Bills were introduced re-  
lative to the village of East River, relative to the  
construction of quarantine buildings on Coney  
Island for the extension of Prospect Park, Brook-  
lyn. The bill to improve the Albany basin was re-  
committed, after which the Assembly adjourned  
until Monday evening.

## Miscellaneous.

Colonel Leavenworth testified before the Senate  
Committee on Indian Affairs yesterday to the effect  
that in General Custer's battle of the Washita, only  
fifteen Indians were killed and only thirty lodges  
were attacked in all, though General Custer in his  
report places the number of lodges at fifty-three  
and the Indians killed at 101. Mrs. Blinn, who was  
reported to have been murdered by a squaw during  
the fight, was shot by her own soldiers, according  
to Colonel Leavenworth's statement, she having  
started to run towards them when the firing com-  
menced.The steamer Nellie Stevens was burned in Caddo  
Lake, Red river, La., on Thursday night and sixty-  
three lives are reported lost.The application for a writ of prohibition against  
Judge Underwood, of Virginia, was argued in the  
Supreme Court yesterday and Chief Justice Chase  
announced that it would be considered. Judge  
Underwood did not appear in court.In the Missouri House of Representatives a bill for  
the enfranchisement of ex-rebels in the State was  
rejected yesterday.General Grant and Mrs. Grant are to give a large  
reception a few days before the inauguration.

## The City.

The Board of Metropolitan Police Commissioners has  
been very vigorous in reorganizing the force of  
late. The system of discipline has been more rigidly  
enforced than heretofore, and fines against mem-  
bers to the amount of \$4,000 have been assessed,  
where \$1,500 was the average sum in corresponding  
periods heretofore. It has been determined, also,  
to apply to the Legislature for a bill increasing the  
force by about 600 men, and about half of the force  
are to be dressed in uniforms.It is stated that a republican caucus in this city  
has prevailed upon the Tammany ring, by means of  
a consideration not yet made public, to secure the  
assent of Governor Hoffman to the passage of a law  
in the Legislature abolishing the charter elections  
of December and prolonging the term of all now in  
office in this city to January, 1871. The republicans,  
by this arrangement, will retain three republican  
justices in office who would otherwise go out. Gov-  
ernor Hoffman, it is announced, has agreed to give  
his assent to the bill.It has been discovered that among the numerous  
other rings in this city there is—what is more oppres-  
sive than all—a four ring, composed of certain  
classes of four operators at the Corn Exchange,  
whose aim is to monopolize the trade by ruling out  
the four manufacturers of the city and Brooklyn.  
Several parties were arrested yesterday at Staten  
Island and brought before Commissioner Jones, of  
Brooklyn, on a charge of smuggling cigars to the  
value of \$1,500.The examination of the parties charged with being  
implicated in the Custom House fraud was com-  
menced yesterday morning, before Commissioner  
Jones, of Brooklyn. The District Attorney, in open-  
ing the case for the government, made a statement  
that the amount paid out by the government on these  
fraudulent claims for drawbacks reaches the sum of  
\$700,000.Two men, alleged to be the robbers of Benedict  
Brothers' show windows, in Broadway, were ar-  
ranged before Justice Shandley yesterday, and  
admittance partially implicating them in the robbery  
were taken. They were both committed to answer in  
default of \$4,000 bail each.The steamsip Estorpe, Captain Gates, of C. H.  
Malloy & Co's Texas line, will leave pier No. 29 East  
river this afternoon for Galveston.The steamer Saginaw, Captain Nickerson, will  
sail from pier No. 4 North river, at three o'clock this  
afternoon, for Savannah.The sidewheel steamship Manhattan, Captain  
Woodmill, will sail at three o'clock this afternoon,  
from pier No. 6 North river, for Charleston.The steamship Isaac Bell, Captain Bourne, of the  
Old Dominion line, will leave pier No. 31 North  
river, at three o'clock this afternoon, for Norfolk,  
City Point and Richmond.The stock market yesterday was very dull. Prices  
were depressed at the opening, but improved before  
the close of business. The feature of speculation  
were government bonds, which were active, and ex-  
cited in sympathy with an advance in London of  
five-twentieths to 77 1/2. Gold fluctuated between 133  
and 135 1/2, closing finally at 133 1/2.

## Prominent Arrivals in the City.

General J. A. Morris, of Indianapolis; H. C. Lord,  
of Cincinnati; General James M. Corne, of Chicago;  
Lieutenant J. M. Smith, of the United States Army,  
and General James H. Liddle, of Chicago, are at the  
St. Nicholas Hotel.Major General T. W. Sherman and Colonel Van  
Vleet, of the United States Army; George B. Case,  
Adjutant General of Florida, and Dr. Hugh A.  
Maugham, of Baltimore, are at the Metropolitan  
Hotel.M. Martinez, of Cuba; H. F. Sweetser, of Pennsylv-  
ania, and G. M. Tibbets, of Troy, are at the Hoffman  
House.Major W. L. Haskin, of the United States Army,  
and P. Cameron, of Matanzas, are at the Astor  
House.F. A. Sollet, of Cuba, Major Hardy and F. R. Page,  
of New York, are at the Malby House.Dr. C. Woernum, of Hamburg; Captain Bell, of the  
Fifty-third regiment, Quebec; A. Fitz George, of the  
Irish brigade, and G. B. Crowley and A. Fraser, of  
England, are at the Clarendon Hotel.Major Russell, of Toronto, G. W.; Señor Rodriguez,  
of Cuba, and Dr. E. R. Parker, of Philadelphia, are  
at the St. Charles Hotel.Senator R. E. Fenton and P. Sheldon, of Jam-  
estown, and General Harney, of the United States  
Army, are at the Fifth Avenue Hotel.

## How to Settle the Alabama Claims.

The United States cannot be responsible for  
British insanity. The fact that Earl Russell  
said that the escape of the Alabama from  
England was "due to the insanity of the law  
officer of the Crown" has nothing to do with  
the case. It may be a plea for us to show  
mercy in our demands and make them as light  
as possible under the circumstances. There  
should have been an addition to the expres-  
sion of opinion of Earl Russell. He should  
have stated that the insane law officer was the  
best representative of England that could be  
possibly found during our civil war troubles.  
That officer represented lord, merchant, boot-  
black. He was the exponent of English  
sympathy for the great republic, and of Eng-  
lish neutrality whenever an ocean port was  
found large enough to give shelter to any  
privateer that would fulfill the wish nearest to  
the English heart—the destruction of Ameri-  
can commercial supremacy. But we are will-  
ing to be gracious to a great people with whom  
we have so many traditions in common, and  
with whom we are linked in ties of religion  
and language. We are beyond being satis-  
fied with a few paltry millions of treas-  
ure as a salve to our wounded national  
honor; for the destruction of a few  
ships was not and is not the point with us.  
We therefore propose that we shall do good  
for evil. Instead of pressing the Alabama  
claims through our gastronomic diplomat now  
in England, who will be recalled immediately  
that General Grant takes the executive chair,  
we shall propose to England, through a spe-  
cial commissioner, that we take Canada and  
the whole of British North America in ex-  
change for all the injuries done by the Ala-  
bama and other commercial representatives of  
English neutrality, and for all the grievances  
which have from time to time been heaped  
upon us while yet Great Britain was in the  
zenith of her power.The far-seeing wisdom of Russia caused her  
to sell Alaska to us. She saw the steady  
movement of the United States to the west  
and northwest, and knew that soon we should  
be pressing upon the Alaska frontier. It  
would be good statesmanship if England could  
have the same broad view of the march of  
events on this Continent, and acknowledge  
their inevitable tendency to territorial con-  
quest. These events are completely beyond  
our control. They are the movable force  
that sends us onward upon this vast wave  
of Western civilization with a power that  
would swamp the republic were we to  
attempt to resist it. If England is still  
advised by "insane law officers" she will cling  
to Canada instead of yielding it up to the  
United States. If she cannot see that the  
very elements that bind us together as a  
nation are elements that laugh at and strike  
out boundary lines, it will be because she will  
not listen to the teachings of civilization and  
to our warnings. The whole of North America  
has been taken possession of by the modern  
forces which the liberal genius of Germany,  
France, England and the United States has  
called into action. Our Southern States,  
clinging to feudal principles which hold, un-  
fortunately, been planted upon their soil, tried to  
stand in the pathway of this modern giant.  
They were crushed by it. Our constitution  
forbade the addition of territory to the old  
Union, and yet we went on adding, first the  
valley of the Mississippi, then Florida, then  
Texas, until, finally, we debouched upon the  
Pacific through California. Our eyes now turn  
northward and southward. Canada is  
essential to us and we are essential to Canada.  
The times will have it so, and in stating this  
we simply recognize a fact. To England  
Canada is a burden, and a severe one, too, in  
view of the present condition of Europe.  
Europe, with six millions of men under arms,  
stands divided against itself, waiting, as it  
were, for the railroad, the telegraph and  
modern civilization to strike the tecton which  
shall inaugurate the great final struggle be-  
tween the relics of feudalism, as represented  
in class privileges and great standing armies,  
and the liberal progressive movement of this  
century. We can bide our time; but we ask,  
can England do the same? She has an Indian  
empire to take care of, which keeps half of  
her cotton manufactures in motion. She has  
Australia and Ireland on her hands—both  
nearer to the United States by adoption than  
they are to Great Britain by national ties. Is  
it not worth consideration on the part of  
British statesmen that, under the administra-  
tion of Grant, we shall always be prepared to  
settle the Alabama and other claims to our  
own liking? Perhaps we may settle them ac-  
cording to the example set us by the mother  
country, which sometimes, in late years, has  
spoken with pride of a people who are ap-  
parently wedded to English habits and customs.  
If we undertake this method we promise to  
make old England very proud of us. Better,  
however, surrender Canada, and by making  
the amende honorable to us prepare the way to  
friendship, which, in the coming European  
struggle, would be the only reliable foreign  
element upon which England could depend.SOMETHING NOT ENTIRELY NEW.—The re-  
port from Washington that General Sherman,  
if he desires it, can have a place in General  
Grant's Cabinet.THREE BURIED.—Mrs. Gamble, who died on  
August 2, 1863, was finally buried February 11,  
1869, and, whether it be true or not that dead  
men tell no tales, this dead woman certainly  
does tell a very remarkable tale of the queer  
results that may be brought about in the  
jumble of legal investigation. From her first  
burial this woman was taken up for the Rock-  
land county investigation. From a second  
burial she was taken up for further inquiry  
before a coroner; but the courts having put an  
injunction on the Coroner to take no further  
proceedings in the case he could not even  
bury the woman, and her last appearance be-  
fore the public represents her as "found on a  
cart in the city." The rest and sanctity of  
the grave are fine fancies.JEFF DAVIS.—In pursuance of the Presi-  
dent's late amnesty proclamation the Indict-  
ment in the United States District Court  
at Richmond, so long held over the heads of  
Jeff Davis and thirty or forty of his leading  
rebel confederates for treason and rebellion,  
has been all quashed, and thereby Greeley is  
released from his straw ball bonds, and Jeff  
is perfectly free to set up his shingle again in  
Richmond, Montgomery, Vicksburg, Washing-ton or Halifax. We shouldn't wonder, how-  
ever, if he were to come and settle down  
here in New York, where, under the wing of  
Greeley, there will be neither Northern rad-  
icals nor Southern niggers who will dare to  
make him afraid.

## The Hon Butler and Ben Wade Imbroglio.

The tremendous concussion between the  
Hon. Ben Wade, President of the Senate, and  
the Hon. Ben Butler, of the House of Repre-  
sentatives (both Benjamin Franklins), on the  
counting of the votes in Congress for Presi-  
dent and Vice President, the other day, at the  
first glance would appear to be a senseless dis-  
pute upon legal quibbles and technicalities.  
There is something more in the controversy  
than this, however. It involves a question of  
authority between the two houses—the ques-  
tion whether in joint convention the ruling of  
the President of the Senate can upset a vote  
of the House. The electoral vote of Georgia  
had been rejected by the House, and ac-  
cording to Butler this rejection ruled out  
Georgia. But when the two houses met again  
in joint convention to resume the counting of  
the votes President Wade, of the Senate, de-  
cided that Georgia must be counted because,  
as Wade understood it, by a concurrent resolu-  
tion of the two houses adopted some days  
before, the vote of Georgia was not to be  
counted if it changed the Presidential result,  
but was to be counted if it did not affect the  
result. So Wade insisted that Georgia must  
be counted under that resolution, and from  
that point Butler has been making his fight  
against the absurd idea that it is the Presi-  
dent of the Senate who counts the votes for Presi-  
dent and Vice President, and that in regard to  
the admission or exclusion of any State his  
opinion is the law.All this, however, would signify little or  
nothing, if it were not for the fact that the  
Senate aims to be the government and the  
master in reference to General Grant's adminis-  
tration. The Tenure of Office law, so promptly  
repealed on the part of the House by the pas-  
sage of Butler's repeal bill, "sticks" in the  
Senate. Why? Because of the power which  
this Tenure of Office law gives the Senate  
over the President and his removals from  
office. Before the enactment of this law, which  
was passed to head off Andy Johnson, the  
consent of the Senate was only required on  
Executive appointments. The President could  
remove Tom, Dick or Harry, and that was the  
end of the party removed, subject, however, to  
a restoration by the President's reconsideration  
of the case. But under this new law the  
President must submit not only his appoint-  
ments, but his removals and his reasons, to  
the Senate, and if the reasons given for a  
removal be voted insufficient the removed  
officer is restored, as in the case of Stanton,  
as Secretary of War. Thus, under this law,  
Vice President Colfax, as President of the  
Senate, may wield a power in the matter of  
Executive removals and appointments greater  
than the power of the President himself.Under this condition of things the House  
of Representatives becomes a mere tidewater  
on the Senate; and Ben Butler in his conduct  
with Ben Wade is really fighting to prune  
down a little the conceit of the Senate and  
the power of Colfax. In fact, Ben Butler against  
Ben Wade is fighting for the rights, not only  
of the House, but of President Grant, against  
the pretensions of the Senate and against the  
game of the anti-Grant radicals, with their  
man, Vice President Colfax. It will be seen,  
too, that Cataline Colfax, smooth as Oily Gam-  
ton, sides in this controversy with Wade.  
Colfax is the chosen apostle and embodiment  
of the radical party. Grant, taken up as a  
necessity, is to be managed by Colfax and the  
Senate. Butler understands the game, and  
from the vigorous fight he has been making  
for the House and for Grant he evidently ap-  
preciates the consequences of the upshot of  
this contest. We shall have the curtain  
lifted a little higher pretty soon, and, though  
baffled for the present, we guess that Butler  
in the end will win, because he has the right  
on his side.A GOOD OFFICER.—Recorder Hackett de-  
livered from the bench the other day an elo-  
quent eulogium upon Captain Jourdan for his  
efficiency and honesty. All true, no doubt;  
and being true, would not Captain Jourdan be  
a good man for Superintendent? Is it not bad  
policy to keep such an important post as that  
of Superintendent vacant at a time when vil-  
lany of every stripe flourishes as it does now?

## The Situation in Spain.

The Spanish Cortes have met. The Presi-  
dent of the Ministry, Marshal Serrano,  
opened the meeting with a speech full of  
hope and encouragement in view of a  
permanent government to Spain on liberal  
principles, including the island of Cuba. He  
anticipates the establishment of freedom of  
speech, the press and religion and the aboli-  
tion of slavery, and the extrication of the  
State from its financial embarrassments. He  
had full faith in the consummation of the great  
objects of Spain's decisive and comparatively  
bloodless revolution.We hope that these pleasing anticipations  
will be fully realized, but the trouble which  
has broken out in the Basque provinces  
does not convince us that the situation in  
Spain has become simple and easy of settle-  
ment. It seems rather to encourage the idea  
that the crisis has arrived with the assembling  
of the Cortes. Spain is unquestionably in a  
very critical condition. We do not say dangerous,  
because we do not think so. It is perfectly  
manifest that the provisional government know  
what they want. It is nearly as manifest  
that the provisional government are going to be  
allowed to settle matters according to their  
wishes. Dom Ferdinand, the father of the  
King of Portugal, a man who, during the  
minority of the King, governed Portugal  
wisely and well for several years, seems to be  
the favorite candidate. It will be well if  
Spain continues of this way of thinking. Dom  
Ferdinand will make a good king. He is a  
member of the house of Coburg, which, for  
governing power—partly through himself,  
partly through King Leopold of Belgium—  
has acquired rather an enviable reputation.  
In difficult circumstances in foreign countries  
they have, one and all, behaved well. Span-  
iards see that Dom Ferdinand will not only  
serve a present purpose by proving himself  
a good constitutional sovereign, but that he  
will bring with him a legacy of inalienablevalue to the country. They see that he will  
give unity to the peninsula, and that hence-  
forward Spaniards and Portuguese will not  
only be friends, but brothers. The peninsula  
ought to be a unit. There is no longer any  
good reason why it should not. If Spaniards  
resolve that by this means it shall be a unit  
Napoleon will have no good reason to hinder  
the result. Dom Ferdinand on the Spanish  
throne will be just as reasonable a neighbor  
as the son of Victor Emmanuel could be ex-  
pected to be. Much as we believe Napoleon  
is watching the progress of events, we are un-  
willing to think that he will in any way thwart  
the honest wishes of the Spanish people. In  
spite, therefore, of the fever of the Church and  
the nervous excitement of the Carlists, we are  
in good hope that Spain will work herself out of  
all this trouble in a manner which will compel  
the admiration of the world. We can see no  
good in the triumph of Montpensier. He is  
only a small edition of Louis Philippe. But  
we can discover much good in the triumph of  
Prince Ferdinand. It rests with Spain to do  
the wise thing. We must wait to see whether  
she will do it.LAID ON THE TABLE.—Ben Butler's resolu-  
tions in reference to "Old Ben Wade's"  
invasion of the rights and privileges of the  
House. "Old Ben," by his blundering, had  
got the question into such a snarl that even  
Big Ben could not unravel it, nor Schenck,  
nor Shellabarger, nor Bingham, nor any of  
them. And so, with a spread eagle speech  
from Logan in the way of an apology for "Old  
Ben's" blundering, the snarl was laid on the  
table. But the affair, as between the Senate  
and the House, is not settled for all that. It  
will break out again, after a while, on some  
other question.

## The Abuses in the Sheriff's Office.

Things are worse in the Sheriff's office than  
we thought. We have received from the  
Sheriff the following letter in regard to the  
escape of the convicts in Centre street:—SHERIFF'S OFFICE, NEW COURT HOUSE,  
CITY AND COUNTY OF NEW YORK, Feb. 12, 1869.  
TO THE EDITOR OF THE HERALD:—  
SIR:—As article 49 of your issue of this morning  
refers to the escape of convicts has a tendency  
to reflect with great injustice on this office. It is  
very evident that the writer of that article was not  
fully conversant with the facts, which are simply as  
follows:—The party having charge of those convicts  
was officer S. C. Stanton, appointed by the Board of  
Supervisors, and not a deputy sheriff, and con-  
sequently not under my control, nor amenable  
to me in any form. It has long been the custom  
for the Sheriff of this county, at the request of the  
presting officer of any court of justice, to deputize  
persons acting in the capacity of attendants upon  
such convicts as "special deputy sheriffs," who were  
not under the charge of the Sheriff or  
any of his deputies, and consequently that this office  
is in no way answerable for their escape. I am at  
all times ready to assume whatever responsibility my  
own official actions call for, but do not wish to have  
the acts of other parties over whom I have no control  
imputed to me or to my subordinates. Very re-  
spectfully yours, JAMES O'BRIEN, Sheriff.The first observation to be made on this ex-  
planation is that in one line we are told that  
the officer who had charge of the prisoners is a  
deputy sheriff, and in another line that he is  
not a deputy sheriff; and we cannot wonder at  
the occurrence of any dereliction of duty in  
the Sheriff's office when the kind of intelli-  
gence that presides there is of the uncertain,  
feeble, self-contradicting kind that writes this  
letter."The party having charge of those con-  
victs," says the Sheriff, "was an officer of the  
Court of Sessions, appointed by the Board of  
Supervisors, and not a deputy sheriff, and con-  
sequently not under my control nor amenable  
to me in any form." Here, then, is a  
sufficient reason for the immediate removal  
from office of this Sheriff, and we demand  
that the Governor remove him. Here is at  
once an abuse in the machinery of justice that  
the Sheriff impudently or ignorantly parades  
as his defence. By what right does he turn  
over to persons not amenable to him "in any  
form" the performance of duties that the law  
entrusts to him? Where did the Supervisors  
get the power to exercise a function belong-  
ing to the people at the polls—the power to  
designate, in the election of Sheriff, who shall  
have in custody the offenders against the  
public peace under sentence? Here is just  
what we pointed to in the abuses of the  
Sheriff's office—the appointment by corrupt  
politicians of men to have charge of the pri-  
soners who are no better than the prisoners  
themselves. Fancy the men who are the asso-  
ciates of the ruffians at Allen's dance house on  
one day conducting them to State Prison the  
next day.But the Sheriff shows by his letter that he  
understands that these men would have no  
authority to take charge of the criminals  
unless they received that authority from him.  
He says it is the custom for the Sheriff to  
"deputize" persons acting in the capacity of  
attendants upon the court, and these persons  
wear the badge of deputy sheriffs and do the  
duty of deputy sheriffs and have authority to  
protect the public peace. They are, in fact,  
men "deputized" by the Sheriff to perform,  
with his authority, sheriff's duty; and how  
any man can set his hand to a declaration that  
such persons are not deputy sheriffs it is  
difficult to say.It appears, then, that the Sheriff gives the  
authority of his office in a loose, indiscriminate  
way, to cover any and everybody whom the  
Supervisors or any one else may appoint to  
have charge of criminals, and thus abuses the  
trust the people have reposed in him; and for  
this abuse, in which doubtless there are  
many greater evils than the occurrence in  
Centre street, he ought to be removed, and if  
he is not removed the Governor will be want-  
ing in his duty to the public.A QUESTION AND AN ANSWER.—Is "Old  
Ben Wade," as a profound jurist or diplomat,  
qualified for the position of Secretary of State?  
He must be when even in his blundering he is  
more than a match for Ben Butler.

## Texas Convention Jobs.